

to fix it; yet the fixes they are proposing would destroy the system as we know it.

No. Instead, we need to correct the flaws in the system. And, again, if it sounds like a replay of immigration, it is exactly right. It is the same strategy. But they failed then, and if the American people are mobilized, they will fail again.

We hear about widespread problems in terms of the Patent Office. This is what we are going to hear from the elite, from the people involved in this globalist attempt to destroy America's patent protections. We are going to hear about patent lawsuits, about horror stories concerning companies that are tied up for years in court and then eventually have to give up and relent to trial laws because there are so many delays inside the patent system. And we are going to hear about examiners who are overworked, underpaid, and without proper education and training.

Well, in reality the patent lawsuits are no more of a major problem than they ever were. Between 1993 and the year 2005, the number of patent lawsuits versus the number of patents granted has held steady at about 1.5 percent. In fact, in 2006 there were only 102 patent cases that actually went to trial.

But there are some very real changes that are needed and problems that need to be solved in the patent system. Unfortunately, the legislation making its way through the system does not correct these problems. The problems are being used as an excuse to act, but the proposed changes are aimed at other than the more significant goals.

So let's understand that we need patent legislation. We need patent legislation that speeds up the patent process and provides training and compensation for patent examiners and helps us protect our inventors against foreign theft. We need to make sure that the people who are the inventors of our country can use this system. But the bill that is being presented to us and these maladies that are being used to justify this new bill do not correlate.

The fact is the bill will not solve the problems but will obliterate the fundamental rights that have been granted since our country's founding. Just like the immigration bill, as I say. The problems created by our current policymakers, of course, they could have corrected any of these problems with the patent system over the past 10 years, but those problems that are still around are being used as an excuse to destroy the system within a cloud of smoke.

Well, the people have been trying to do this, as I said, for over a decade, the power elite in this country, and they were thwarted. Now they are back. We can all understand what this is all about when we just remember the word "comprehensive." That was being used as a cover not to reform and strengthen our control and management of immigration but to destroy our ability to

stop the massive flow of illegal immigration into our country. That is the same thing that is happening in terms of patent legislation.

There are some problems with the way our patent system is operating. It can be much more effective. But instead of correcting those problems, it is being used as a smokescreen. H.R. 1908 is designed not to correct the problems but to destroy the patent protections our people have enjoyed.

So, first, H.R. 1908 creates a post-grant review process. What does it do? The first thing is a post-grant review process, which means that after someone is granted their patent, people can still come back and challenge them after the patent has been granted. For the little guy, this is a disaster because the little guy doesn't have the money for all the lawyers. Once the patent is granted, that should be a situation when the patent is granted. Instead, H.R. 1908 attempts to create an endless process of challenges to a small inventor.

Second, H.R. 1908 changes our patent system to award patents based on first-to-file rather than first-to-invent. This is a little hard to understand, but since our country's founding, if an inventor could prove that he has invented something, he would then be protected. His rights to own that would be protected. In other countries, if big corporations immediately just file patent after patent after patent every time they come to a small step forward, they can protect themselves, but the small inventor will never be able to do so.

Third, the most egregious of all the items in H.R. 1908, and people should pay attention to what I am saying here because this is fundamentally different than every patent system in the world, up until now the American citizen, if he has filed for a patent, until that patent is granted, the patent is kept totally secret.

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In fact, patent examiners can go to jail for felonies if they disclose that information. And then, when the patent is granted, no matter how long it takes, even if it takes 10 years to do so, the inventor gets to have 17 years of patent protection where he owns that technology. That has been our tradition. What do we want to do? This bill, H.R. 1908, the "Steal American Technologies Act," the sequel, what does it do? It wants to make sure that anybody who files for a patent, any inventor, if he has not been granted his patent within 18 months, perhaps because of bureaucratic snafus or whatever, that patent is going to be put on the Internet, that patent is going to be published for every thief in the world, every Chinese manufacturer, every Japanese manufacturer, every Korean manufacturer, anybody in the world who wants to steal it will be able to have it and be in production before our inventors get their patents even granted to them.

So, let's take a look at these three proposals of this H.R. 1908. The proposed grant review process is a gift to the large corporations and the powerful elites, which they wish to destroy the small inventor. As I say, they are going to be able to grind the small inventor down. For the invalidation of a patent, a company, if they can show they've been economically disadvantaged by the patent, they can force a review of the Patent Office of that patent. So if somebody invents something that's going to be wonderful for a lot of people in the country but will put another business out of work because they don't need buggy whips anymore, then the buggy whip manufacturer, who now has a lot of money because over the years, under the old system, everybody needed a buggy whip, they're going to use that wealth to tie up and destroy those innovators who would bring us forward. Because now, even once the patent is issued, they can keep filing complaint after complaint, challenge after challenge. The little guys will never be able to cope with that.

Second of all, this legislation doesn't stop just there. As I said, it lowers the bar for providing a patent's invalidity to current standards of clear and convincing evidence. It basically lowers, for some of the standards that we have operated on, from clear and convincing evidence to the preponderance of evidence, which of course erodes the confidence an inventor has that his patent won't later be just revoked by the Patent Office. So it's changing the standards and allowing them to have future challenges. The small inventor is going to be ground down.

But, of course, the worst part, what's this? H.R. 1908 also, of course, does not limit the number of times that a patent can be challenged, so time after time grounds these down. So it's not just one challenge after a patent has been granted, but a continual challenge to the small inventor.

This proposed change from first-to-invent to first-to-file is yet another attack on the small inventor. The United States is unique in using the first-to-invent system. All the rest of the countries have first-to-file. And this has ensured that the true inventors will receive the benefit of their invention instead of a thief who happens on some information.

Changing it to first-to-file will create a massive problem for the small inventor. Inventors will have to rush to the Patent Office, hurriedly scrambling to file the necessary documents every time they've made one small step forward. This will cause less thorough applications. So we're going to have people who are applying, because they have to apply for so many, the applications will not be as well thought out and not as thorough. And this will add to the burden of the Patent Office, which will mean there will be even more work for the Patent Office and even more delays.

So this will benefit, yes, large corporations who can afford patent after